

## **REMARKS**

Claims 1-20 and 22 are pending. Claims 1-10, and 22 were rejected by the Examiner in the Office Action dated December 10, 2008. Claims 11-20 were allowed. Reconsideration of all rejected claims is requested in light of the arguments and amendments presented here.

### **Claim Rejections Under 35 U.S.C. §102**

Claims 1-5, 9-10 and 22 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Publication No. 2004/0029637 to Hein Jr. et al. ("Hein"). Claim 1 is amended to recite, "wherein said programmable logic device converts instructions from said master game controller to instructions that can be executed by said digital signal processor." While no admission is made with respect to claim 1 prior to this amendment, it is submitted that this amendment clearly distinguishes over Hein. The language added by this amendment is similar to language found in claim 11, which has been allowed.

The Office action stated, "Read-only memory is viewed as a programmable logic device," page 3, lines 11-12. It is submitted that ROM alone would not be considered by one of ordinary skill in the art to be a programmable logic device.

Furthermore, claim 1 as amended further clarifies that the programmable logic device converts instructions. There is no disclosure that the ROM of Hein converts instructions as claimed. In particular, there is no disclosure that sound files sent by the CPU (paragraph 0026) are sent to the ROM, or that the ROM performs any conversion of such files.

In addition, claim 1 recites, "a programmable logic device interposed between the master gaming controller and the digital sound system such that said digital signal processor is unable to communicate directly to said master gaming controller." However, Hein does not appear to disclose that ROM in sound card 120 prevents such communication. While FIG. 1(a) may show communication of sound files from CPU 110 to sound card 120', Hein does not disclose that sound card 120' (or a digital signal processor in sound card 120') is unable to communicate directly to CPU 110.

Also, claim 1 recites, "a digital sound system comprising:... a digital signal processor..." However, any digital signal processor in sound card 120 of Hein is not in sound adjustment module 130 (cited as digital sound system). To the extent that the sound adjustment module

might be considered to include a digital signal processor in sound card 120, it is not clear how the ROM of a sound card would be considered interposed between a master gaming controller and such a module.

Claims 2-10 are submitted to be allowable at least for depending from an allowable base claim, and furthermore for reciting features that are not shown by the cited references. Claim 2 is amended to be consistent with claim 1 as amended. Claim 22 is cancelled.

#### **Claim Rejections Under 35 U.S.C. §103**

Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Hein as applied to claim 1 above, and further in view of U.S. Patent Publication No. 2002/0151366 to Walker et al. ("Walker"). However, Walker fails to cure the defects in the rejection of claim 1 discussed above and therefore claim 6 is submitted to be allowable at least for depending from an allowable base claim.

Claims 7-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hein as applied to claim 1 above, and further in view of U.S. Patent No. 6,411,926 to Chang. ("Chang"). However, Chang fails to cure the defects in the rejection of claim 1 discussed above and therefore claims 7-8 are submitted to be allowable at least for depending from claim 1.

#### **Allowable Subject Matter**

The allowance of Claims 11-20 are acknowledged and appreciated.

#### **New Claims**

Claims 23-28 are added. Claims 23-28 are similar to claims 4, and 6-10, which depend from claim 1, but claims 23-28 depend from allowed claim 11. Therefore, claims 23-28 are submitted to be allowable at least for depending from an allowable independent claim. Claims 23-28 are supported throughout the original disclosure, for example by claims 4, and 6-10 as originally filed.

## **CONCLUSION**

Accordingly, it is believed that this application is now in condition for allowance and an early indication of its allowance is solicited. However, if the Examiner has any further matters that need to be resolved, a telephone call to the undersigned at 510-663-1100 would be appreciated.

Respectfully submitted,  
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